

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOHN WILEY & SONS, INC.,  
CENGAGE LEARNING, INC., and  
PEARSON EDUCATION, INC.,

Plaintiffs,

v.

BOOK DOG BOOKS, LLC and  
PHILIP SMYRES,

Defendants.

Case No. 1:13-cv-00816 (WHP) (GWG)

Judge William H. Pauley III

Magistrate Judge Gabriel W. Gorenstein

**PLAINTIFFS' MOTION FOR  
DISQUALIFICATION OF NEIL B. MOONEY**

Pursuant to New York Rule of Professional Conduct 3.7(a), along with the Memorandum of Law submitted herewith, Plaintiffs Cengage Learning, Inc., Pearson Education, Inc., and John Wiley & Sons, Inc. hereby move for the disqualification of Neil B. Mooney as counsel of record for Defendants.

In accordance with this Court's Individual Practices Rule 2.B, the parties agreed to the following briefing schedule with respect to this motion: Plaintiffs' Motion due March 20, 2015, Defendants' Opposition due April 8, 2015, and Plaintiffs' Reply due April 16, 2015.

Dated: March 20, 2015

Respectfully submitted,

OPPENHEIM + ZEBRAK, LLP

By: /s/ Matthew J. Oppenheim

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